

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

## **MEMORANDUM AND ORDER**

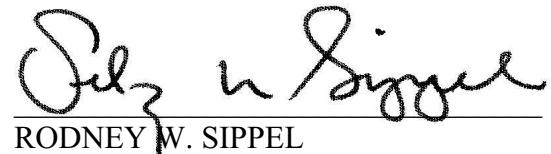
This matter is before me on a Report and Recommendation to affirm the decision of the Commissioner of Social Security to deny Plaintiff disability insurance benefits and supplemental security income. Neither of the parties has filed an objection to this recommendation.

This matter was referred to United States Magistrate Judge David D. Noce for a Report and Recommendation pursuant to 28 U.S.C. § 636(b). Judge Noce issued a Report and Recommendation on August 19, 2008 that recommended that the Commissioner's decision to deny benefits should be affirmed. Judge Noce found that the Administrative Law Judge's determination that Plaintiff was not entitled to benefits was supported by substantial evidence in the record.

Any objections to Judge Noce's Report and Recommendation had to be filed by September 3, 2008. Neither of the parties has filed an objection as of today's date.

Accordingly,

**IT IS HEREBY ORDERED** that the Report and Recommendation of the United States Magistrate Judge Noce is **SUSTAINED, ADOPTED AND INCORPORATED** herein. The Commissioner of Social Security's decision to deny disability benefits to Plaintiff is affirmed



Rodney W. Sippel  
RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 4th day of September, 2008.